

Michigan Civil Service Commission
Response to Request for Public Records Under FOIA

REQUESTOR: Beryl Lipton, MuckRock News

FOIA REQUEST NUMBER: 2019-62

On November 8, 2019, the Michigan Civil Service Commission (MCSC) received your request for public records. Multiple attempts to obtain clarification of the request were made, but no timely response was received. The following action has been taken, consistent with Michigan's Freedom of Information Act (FOIA). The request can be renewed by contacting the MCSC to provide clarification.

A. ☒ Request Granted:

- ☐ Records are enclosed at no charge due to limited production costs.
- ☐ Requested records are available online at [URL]. If you prefer hard copies, notify the FOIA coordinator and a revised cost estimate reflecting additional costs will be provided.
- ☐ Records will be provided after receiving payment of [\$]. An itemized accounting of the basis for the production costs appears below. Payment instructions are below the production-cost summary.

B. ☒ Request Denied:

- ☐ To the best of the MCSC's knowledge, information, and belief, the records you requested do not exist within the MCSC under the description in your request or by another name reasonably known to the MCSC.
- ☒ Your request does not describe a public record sufficiently to enable the MCSC to find the public record.
- ☐ The records requested are exempt from public disclosure under §13(1)() of the FOIA. [Explanation.]

C. ☐ Request Granted in Part and Denied in Part:

- ☐ Non-exempt records are enclosed at no charge due to limited production costs.
- ☐ Non-exempt records will be provided after receiving payment of [\$]. An itemized accounting of the basis for the production costs appears below. Payment instructions are below the production-cost summary.
- ☐ Requested records are available online at [URL]. If you would prefer hard copies, notify the FOIA coordinator at the address above and a revised cost estimate reflecting additional costs will be provided.
- ☐ A deposit is required. For non-exempt records, the estimated cost to process your request is [\$], as described in the itemized estimate below. A good-faith deposit of [\$] is required before assembly will begin. Payment instructions are below the production-cost summary. You will be notified of the balance due based on actual production costs after the request is processed. Upon payment of the deposit, the MCSC's good-faith estimate of the production period for the records is around [Estimated date]. Non-exempt records will be provided upon receiving the balance due. You will also be notified of any statutory basis for exempting records and applicable statutory remedial rights.
- ☐ Portions of records you are requesting are exempt from public disclosure under §13(1)() of the FOIA. [Explanation.]
- ☐ As to the rest of your request, to the best of the MCSC's knowledge, information, and belief, the records requested do not exist within the MCSC under the description in your request or by another name reasonably known to the MCSC.
- ☐ As to the rest of your request, it does not describe a public record sufficiently to allow the MCSC to find the public record.

- D. ☐ Extension:** An additional 10-business-day extension to respond is taken under §5(2)(d) of the FOIA because [Explanation]. The extended response date is [Date].

☐ Estimated ☐ Actual Production Costs

(for requests with over \$20 in associated production costs)

Search:	\$. x . hrs x 1.5=	\$.
Redaction:	\$. x . hrs x 1.5=	\$.
Duplication:	\$. x . hrs x 1.5=	\$.
Printing:	pages x \$0.05=	\$.
Media cost:		\$.
Mailing cost:		\$.
Total production cost:		\$.
Statutory discount:		\$ 0.00
Deposit required:		\$.
Balance due:		\$.

Payment Instructions: Send cash or check or money order payable to "State of Michigan" to: **FOIA Coordinator, Michigan Civil Service Commission, P.O. Box 30002, Lansing, MI 48909**

Notice of Information and Rights

A summary of the MCSC's FOIA policy is available at www.mi.gov/mdcs. As to any request's denial, partial denial, or charged fee, §10(1) of the FOIA allows you to do either of the following:

- (a) Appeal the decision in writing to the state personnel director at the address in § A above. The writing must specifically state the word "appeal" and must identify why the denial or fee should be modified. The director, or a designee, must respond within 10 business days of receipt. Under unusual circumstances, the response time may be extended 10 business days.
- (b) Commence a civil action in the court of claims within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court may award reasonable attorneys' fees, costs, disbursements, and damages.

I certify that any records provided in response to this request are true and accurate copies.

Signature: John Gnodtke /s/, FOIA Coordinator

Date: November 18, 2019